

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/27/2008

-----X  
KINGVISION PAY-PER-VIEW, LTD., as  
Broadcast Licensee of the  
November 13, 2004 Ruiz/Golota  
Program,

Plaintiff,

-against-

06 Civ. 3613 (DAB)  
ADOPTION OF REPORT &  
RECOMMENDATION

JUSTA PEREZ, Individually and as  
officer, director and/or  
principal of EL COMEDERO  
RESTAURANT, INC. d/b/a EL COMEDERO  
RESTAURANT, and, EL COMEDERO  
RESTAURANT, INC. d/b/a EL COMEDERO  
RESTAURANT,

Defendants.

-----X  
DEBORAH A. BATTIS, United States District Judge:

This matter is before the Court upon the August 4, 2008  
Report and Recommendation ("Report") of United States Magistrate  
Judge Theodore H. Katz. Pursuant to 28 U.S.C. § 636(b)(1)(C),  
upon the issuance of a United States Magistrate Judge's Report  
and Recommendation and "[w]ithin ten days after being served with  
a copy, any party may serve and file written objections to such  
proposed findings and recommendations." 28 U.S.C. §  
636(b)(1)(C); see also Fed. R. Civ. P. Rule 72(b) (providing that  
"[w]ithin 10 days after being served with a copy of the  
recommended disposition, a party may serve and file specific,  
written objections to the proposed findings and

recommendations"). Despite being advised of these rules in Judge Katz's Report, to date, no party to this case has filed an Objection.

Where no timely objection to a Report and Recommendation is made, "a district court need only satisfy itself there is no clear error on the face of the record." Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). After conducting the appropriate level of review, the court may then accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1)(C); see also Local Civil Rule 72.1(d).

Having reviewed the Report, and finding no clear error on the face of the record, see 28 U.S.C. § 636(b)(1)(B), it is hereby ORDERED AND ADJUDGED as follows:


1. The Report and Recommendation of United States Magistrate Judge Theodore H. Katz, dated August 4, 2008, be and the same hereby is, APPROVED, ADOPTED, and RATIFIED by the Court in its entirety;

2. Pursuant to Judge Katz's recommendations, it is ORDERED as follows: a judgment in the above-captioned case is entered for Plaintiff awarding \$17,700.00 in statutory damages; \$761.50 for attorneys' fees; and, \$550.00 for costs, against Defendants, jointly and severally, for a total judgment of \$19,011.50.

3. The Clerk of Court is hereby directed to CLOSE this case  
and remove it from the docket.

SO ORDERED

DATED: New York, New York  
August 20, 2008

  
DEBORAH A. BATTS  
United States District Judge